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**VIA ECF**

August 3, 2023

Hon. Gregory H. Woods  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2260  
New York, NY 10007

Re: *Kenneth P. Silverman, Esq. v. Citibank, N.A.*, Case No. 1:22-cv-05211-GHW

Dear Judge Woods:

We write on behalf of Defendant Citibank, N.A. in response to Plaintiff's August 3, 2023 letter (ECF 73) renewing his request to lift the Court's previously-ordered stay of discovery.

As detailed in our June 15, 2023 letter (ECF 67), Plaintiff has not identified any valid reason to relitigate the Court's earlier conclusion that good cause warranted a stay of discovery pending resolution of Citibank's motion to dismiss (ECF 28 at 2). And for the reasons we explained in our June 15 letter and at the July 13, 2023 pre-motion conference, Citibank should not be required to incur the substantial burdens and expense of yet further discovery — beyond the substantial pre-suit discovery Citibank already provided to Plaintiff pursuant to Rule 2004 — before the Court has determined whether Plaintiff's Complaint even states a claim upon which relief can be granted.

Respectfully submitted,

/s/ John Gueli  
SHEARMAN & STERLING LLP  
Adam S. Hakki  
John Gueli  
Katherine J. Stoller  
Randall Martin

cc: Plaintiff's counsel (via ECF)

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